

Entered - 9-5-01 - sb  
CL 01L0555- GWENDOLYN BURNS

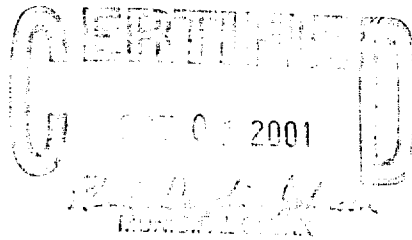
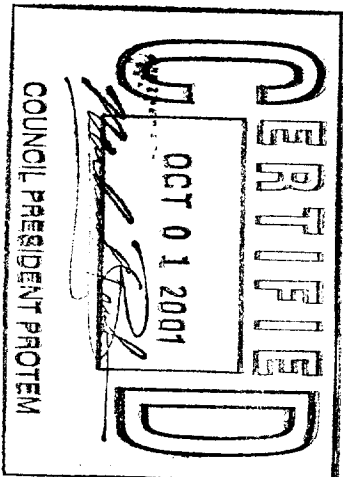
CLAIM OF: WILLIAM G. EPPS  
5160 Bruce Place  
Atlanta, Georgia 30331-7602

01- R -1552

For vehicular damages alleged to have been sustained as a result of a  
pot hole in the roadway at Research Center Atlanta Drive on August 24,  
2001.

THIS ADVERSED REPORT IS  
APPROVED

BY: Rosalind Rubens Newell by Robert N. Coy DCA  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY



ADVERSED REPORT  
CITY COUNCIL OCT 01 2001

## ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE:

SEP 25 2001

V-CHAIR:

Clifton Hunsley  
[Signature]  
[Signature]  
Sherry Dorsey



**CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK**

**RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK**

**55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103**

October 3, 2001

William G. Epps  
5160 Bruce Place  
Atlanta, Georgia 30331-7602

**01-R-1552**

Dear Mr. Epps:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on October 1, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,  
*Rhonda Dauphin Johnson*

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 01L0555

Date: September 12, 2001

Claimant /Victim WILLIAM G. EPPS

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 5160 Bruce Place, Atlanta, Georgia 30331-7602

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 93.28 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 9/4/01 Method: Written, Proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 8/24/01 Place: Research Center Atlanta Drive

Department \_\_\_\_\_ Division \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant alleges that his vehicle sustained damage when he drove over a pot hole in the roadway. However, the location of Claimant's incident falls outside the City's jurisdiction. The Claimant has been advised of same and his claim is being forwarded to Fulton County Government for resolution.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others X Written \_\_\_\_\_ Oral X

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other X

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_

City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

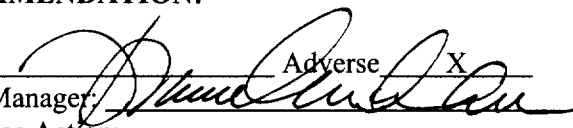
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 09-14-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 3142  
10/01/01  
1:54 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 14

ADOPT

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
B Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
01-O-1018

CONSENT

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<b>10/01/01 Council Meeting</b>	
<b>ITEMS ADOPTED ON CONSENT AGENDA</b>	<b>ITEMS ADVERSED ON CONSENT AGENDA</b>
1. 01-O-1570	39. 01-R-1529
2. 01-O-1571	40. 01-R-1530
3. 01-O-1354	41. 01-R-1531
4. 01-O-1488	42. 01-R-1532
5. 01-O-1335	43. 01-R-1533
6. 01-O-1336	44. 01-R-1534
7. 01-O-1337	45. 01-R-1535
8. 01-O-1342	46. 01-R-1536
9. 01-O-1343	47. 01-R-1537
10. 01-O-1344	48. 01-R-1538
11. 01-O-1345	49. 01-R-1539
12. 01-O-1346	50. 01-R-1540
13. 01-O-1119	51. 01-R-1541
14. 01-O-1351	52. 01-R-1542
15. 01-O-1572	53. 01-R-1543
16. 01-R-1588	54. 01-R-1544
17. 01-R-1273	55. 01-R-1548
18. 01-R-1276	56. 01-R-1549
19. 01-R-1428	57. 01-R-1550
20. 01-R-1456	58. 01-R-1551
21. 01-R-1471	59. 01-R-1552
22. 01-R-1499	60. 01-R-1553
23. 01-R-1580	61. 01-R-1554
24. 01-R-1581	62. 01-R-1555
25. 01-R-0921	63. 01-R-1556
26. 01-R-1561	64. 01-R-1557
27. 01-R-1584	65. 01-R-1558
28. 01-R-1521	66. 01-R-1559
29. 01-R-1522	67. 01-R-1560
30. 01-R-1523	
31. 01-R-1524	
32. 01-R-1525	
33. 01-R-1526	
34. 01-R-1527	
35. 01-R-1528	
36. 01-R-1545	
37. 01-R-1546	
38. 01-R-1547	
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